

## **EXHIBIT 5**

## Rosemary Reyes

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**From:** LJW (JWPT) <LJW@usdoj.gov>  
**Sent:** Wednesday, October 2, 2024 3:13 PM  
**To:** Richard Schonfeld  
**Cc:** David Z Chesnoff; DEH (JWPT); Rigali, Christopher (NSD); Mulryne, Sean (CRM)  
**Subject:** RE: US v. Smirnov

Richard,

We have reviewed your letters, including the one dated August 28, 2024 which you sent me at a different email account today. We have and will continue to comply with our discovery obligations pursuant to Federal Rule of Criminal Procedure 16, 18 U.S.C. Section 3500 (the "Jencks Act"), Federal Rule of Criminal Procedure 5(f) (see ECF No. 43) and *Brady*, *Giglio* and related cases.

In addition to making appropriate discovery requests, your letters ask for documents and other materials that are outside that body of law. As to that information and materials, we decline to produce it.

Leo Wise

**From:** LJW (JWPT)  
**Sent:** Tuesday, October 1, 2024 5:07 PM  
**To:** rschonfeld@cslawoffice.net  
**Cc:** David Z Chesnoff <dzchesnoff@cslawoffice.net>; DEH (JWPT) <DEH@usdoj.gov>; Rigali, Christopher (NSD) <Christopher.Rigali2@usdoj.gov>; Mulryne, Sean (CRM) <Sean.Mulryne@usdoj.gov>  
**Subject:** RE: US v. Smirnov

Richard,

Your letter references three discovery requests, dated March 5, May 28, and August 28, 2024, but we only have discovery requests from March 5 and May 28. Please email us the letter dated August 28, 2024.

Thank you,  
Leo Wise

**From:** Wise, Leo (USAMD) <lwise@usa.doj.gov>  
**Sent:** Friday, September 27, 2024 3:25 PM  
**To:** LJW (JWPT) <LJW@usdoj.gov>  
**Subject:** Fwd: US v. Smirnov

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**From:** Richard Schonfeld <rschonfeld@cslawoffice.net>  
**Sent:** Friday, September 27, 2024 2:57:36 PM  
**To:** Wise, Leo (USAMD) <lwise@usa.doj.gov>; DEH (JWPT) <DEH@usdoj.gov>; Mulryne, Sean (CRM)

<[Sean.Mulryne@usdoj.gov](mailto:Sean.Mulryne@usdoj.gov)>; Rigali, Christopher (NSD) <[Christopher.Rigali2@usdoj.gov](mailto:Christopher.Rigali2@usdoj.gov)>; David Z Chesnoff  
<[dzchesnoff@cslawoffice.net](mailto:dzchesnoff@cslawoffice.net)>

**Subject:** [EXTERNAL] US v. Smirnov

Dear Counsel,

Please find attached a letter of today's date.

Sincerely,

CHESNOFF & SCHONFELD

Richard A. Schonfeld, Esq.